

THE UNITED REPUBLIC OF TANZANIA



No. 15 OF 1971

I ASSENT,

Julius K. Nyerere
President

6TH MAY, 1971

An Act to prescribe the National Flag and Coat of Arms and to control and regulate the use of the National Flag and Coat of Arms

[7TH MAY, 1971]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the National Flag and Coat of Arms Act, Short title 1971.

2. In this Act unless the context otherwise requires—
“coat of arms” means the coat of arms of the United Republic of Tanzania of the likeness specified in the Second Schedule to this Act and includes any emblem, seal, insignia or ensign of the United Republic;
“likeness” includes a photographic or pictorial reproduction, a sketch, a painting or any other form of reproduction or representation whatsoever and of any size or shape whatsoever;
“the Minister” means the Minister for the time being responsible for Home Affairs;
“national flag” means a flag of the description specified in the First Schedule to this Act.

Interpreta-
tion

3. The national flag shall be and shall be deemed to have been the national flag of the United Republic of Tanzania with effect from the twenty-sixth day of April, 1964.

4. The coat of arms shall be and shall be deemed to have been the coat of arms of the United Republic of Tanzania with effect from the twenty-sixth day of April, 1964.

5. The President may, by Proclamation, amend the First or the Second Schedule to this Act to modify the national flag or, as the case may be, the coat of arms.

President
may modify
national
flag or
coat of
arms

Unlawful
use of
national
flag,
coat of
arms or any
likeness
thereof

6.—(1) No person shall use the national flag, the coat of arms or any likeness of the national flag or of the coat of arms—

- (a) as a trade mark for any article sold or offered for sale;
- (b) in furtherance of or as an advertisement for any trade, business, industry, calling or profession;
- (c) on any article, either attached thereto or reproduced thereon, which is sold, offered for sale or intended to be sold or offered for sale;
- (d) on any article, either attached thereto or reproduced thereon, which is used by any person otherwise than for a purpose approved by the Minister.

(2) The Minister may, by writing under his hand, exempt any person or class of person or any article or category of articles from any or all of the provisions of subsection (1), subject to such terms and conditions as the Minister may think fit to impose.

(3) Any person who contravenes the provisions of subsection (1) or being a person to whom the provisions of subsection (2) applies, contravenes any of the terms or conditions imposed by the Minister, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

Insulting the
national
flag or
coat of
arms

7. Any person who does any act or utters any word or publishes any writing with intent to insult or bring into contempt or ridicule the national flag or coat of arms of the United Republic of Tanzania or of any likeness thereof shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

Consent
of D.P.P.

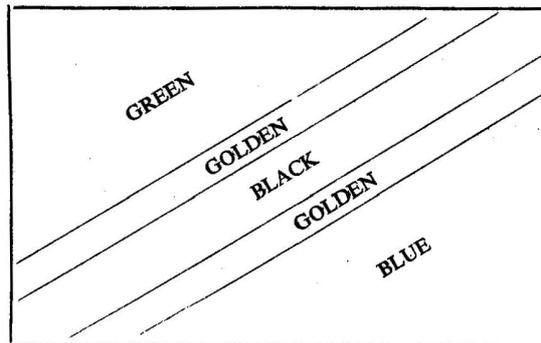
8. No person shall be prosecuted for an offence under this Act without the consent in writing of the Director of Public Prosecutions.

Repeal of
Section 124A
of Penal
Code
Cap. 16

9. Section 124A of the Penal Code is hereby repealed.

FIRST SCHEDULE

A rectangular flag divided into two equal portions diagonally from the right-hand upper corner to the left-hand lower corner the upper portion of green colour and the lower portion of blue colour; the dividing bands being of golden, black and golden colours, the two golden bands of equal size and smaller than the central black band; of the following design:



SECOND SCHEDULE

DESIGN OF COAT OF ARMS



Passed in the National Assembly on the twenty-second day of April, 1971.

Y. Quman.
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Clerk of the National Assembly